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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/929,130	08/14/2001	Philippe Gentric	PHFR 000082	1352

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER	
TRUONG, CAMQUY	
ART UNIT	**PAPER NUMBER**
2127	

DATE MAILED: 11/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/929,130	GENTRIC, PHILIPPE	
	Examiner	Art Unit	
	Camquy Truong	2127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 August 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *1/30/2002*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-8 are presented for examination.

2. It is noted that although the present application does contain line numbers in the specification and claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both the examiner and Applicant all future correspondence should include the recommended line numbering.

3. Claims 7-8 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claims 7-8 should refer to other claims in alternative only and / or can not depend from any other multiple depend claims. See MPEP § 608.01(n). Accordingly, the claims have not been further treated on the merits.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The claim language in the following claims is not clearly understood:

i. As to claims1-6, the use of the word " characterized " is inappropriate since 35 U. S. C. 112, second paragraphs, requires the claim to particularly point out and distinctly claim the invention, not merely its characteristics. Furthermore, if this word is eliminated, then the remaining format of the claim should be modified in order to reflect this correction.

B. Claims 7-8 are indefinite because it is unclear whether computer program claims or method. Claims 7-8 are computer program claims but claim 1 is a method claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-5, 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huang (U.S. 6,016,166).

6. As to claim 1, Huang teaches the invention substantially as claimed including: a method of playing multimedia frames comprised in an encoded digital data stream (IS) (col. 3, lines 23-26), said method comprising the steps of :

Audio decoding and rendering (DR), to decode (ADEC) an audio stream (AS) contained in the encoded digital data stream and to render (AREN) the decoded audio frames (AF) provided by the decoding (col. 2, lines 33-34; col.3, lines 44-49; col. 5, lines 7-8 and lines 36-44);

Decoding (DEC) at least one video stream (VS) contained in the encoded digital data stream, to supply decoded video frames (VF) to a video buffer (BUF) (col.3, lines 39-44; col. 5, line 64- col.6, line5; col. 6, lines 9-14); and

Rendering (REN) the decoded video frames stored in the video buffer (col. 3, lines 47-49), characterized in that said method comprises a scheduling step (SCH) for registering the previous steps, assigning a target time to said steps and controlling the execution of the steps as a function of the target time (col. 6, line 37- col. 7, line 20; col. 10, lines 18-25).

7. Huang does not explicitly teach that the system is multitasking operating system. However, it is well known to those skilled in the art, that multitasking operating system is capable of running several tasks concurrently. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included multitasking operating system in Huang's system because it

would extend Huang capability by easily switching between systems for different tasks.

8. As to claim 2, Huang teaches characterized in that the scheduling step (SCH) is adapted to control the execution of the video rendering step (REN) by skipping the rendering of video frames as a function of the target time (col. 4, lines 16-20; col.5, lines 8-13; col.6, lines 6-7; col.8, lines 54-60).

9. As to claim 3, Huang teaches characterized in that the scheduling step (SCH) is adapted to control the execution of the video decoding step (DEC) by stopping the decoding at a given video frame and resuming it at a following frame as a function of the target time (col.5, lines 18-23).

10. As to claim 4, Huang teaches characterized in that the video decoding step (DEC) comprises a sub-step of freezing the last video frames stored in the video buffer (BUF) until the target time corresponding to a random access point in the encoded digital data stream (IS) is reached (col. 4, lines 16-20; col.5, lines 8-13; col.6, lines 6-7; col.8, lines 54-60).

11. As to claim 5, Huang teaches characterized in that the scheduling step (SCH) is adapted to control the execution of the audio decoding and rendering

step (DR) by skipping the audio decoding at a given audio frame and resuming it at a following audio frame as a function of the target time (col. 7, lines 49-55).

12. As to claims 7-8, they are rejected for the same reason as claims 1-6. In addition, Huang does not explicitly teach that the computer includes a set of instructions system. It would have been obvious to one of ordinary skill in the art at the time the invention was made that in order for Huang's system to perform the audio/ video decoding and rendering steps, the computer must have include a set of instructions that will instruct the processor to do just function.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

13. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huang (U.S. 6,016,166), in view of Griffiths (U.S. 5,913,038).

14. As to claim 6, Huang does not explicitly teach that the audio decoding and rendering step (DR) comprises a sub-step of filtering (FIL) the decoded audio frames (AF) to remove noise. However, Griffiths teaches the audio decoding and

rendering step (DR) comprises a sub-step of filtering (FIL) the decoded audio frames (AF) to remove noise (col. 2, lines 60-64).

15. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teachings of Huang and Griffiths because Griffiths' sub-step of filtering (FIL) the decoded audio frames (AF) to remove noise would improve the quality of Huang's Audio by filtering unnecessary noise in the data.

Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Camquy Truong whose telephone number is (571) 272-3773. The examiner can normally be reached on 8AM – 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3756.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR of Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

Camquy Truong

November 4, 2004

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